

Article - Criminal Procedure

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§2–208.5.

(a) In this section, “fire and explosive investigator” means an individual who:

(1) is assigned full time to the fire and explosive investigations section of the City of Hagerstown Fire Marshal’s Office and is a paid employee;

(2) has been employed by the City of Hagerstown Fire Department as a firefighter for at least 5 years;

(3) has successfully completed a training program from a police training school approved by the Police Training Commission established under Title 3, Subtitle 2 of the Public Safety Article; and

(4) at all times maintains active certification by the Police Training Commission.

(b) Except as provided in subsection (c) of this section, a fire and explosive investigator has the same authority granted to the State Fire Marshal or a full-time investigative and inspection assistant of the Office of the State Fire Marshal under § 2–208 of this subtitle:

(1) while operating in the City of Hagerstown; and

(2) while operating outside the City of Hagerstown when:

(i) the fire and explosive investigator is participating in a joint investigation with officials from another state, federal, or local law enforcement unit, at least one of which has local jurisdiction;

(ii) the fire and explosive investigator is rendering assistance to another law enforcement officer;

(iii) the fire and explosive investigator is acting at the request of a law enforcement officer or State law enforcement officer; or

(iv) an emergency exists.

(c) The City of Hagerstown Fire Chief:

(1) may limit the authority of a fire and explosive investigator under this section; and

(2) shall express the limitation in a written policy.

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